

IN THE CLAIMS:

Please amend claim 32 as follows:

32. (Amended) A method for [detecting analytes] detection in a bio-separation device having a separation channel, comprising the steps of:
defining a detection zone in the separation channel;
introducing excitation radiation axially at the detection zone as analytes pass the detection zone; and
detecting radiation emission from the detection zone.

REMARKS:

The Examiner set forth restriction and election requirements in the Office Action.
Applicant elects Invention I (claims 1 to 31) with traverse.

Applicant does not understand how Inventions I and II are distinct, and how the apparatus as claimed in Invention I can be used to practice another process that is materially different from the process as claimed in Invention II (claims 32-33). The language of the limitations in independent claim 32 substantially parallels the language used in independent claims 1 and 30. Even if claim 1 defines an apparatus that may be used to practice a process such as light scattering assay, so can the process defined by claim 32. The process defined by claim 32 is not materially different from the process that is capable of being practiced by the apparatus of claim 1.

To further clarify the scope of claim 32, Applicant amended claim 32 to recite the process as being one for detection in a bio-separation device. This parallels the preamble of claim 1,

which recites a detection system for a bio-separation device. A clean copy of claim 32 as amended is attached to this response.

In view of the foregoing, Applicant respectfully requests withdrawal of the restriction and election requirements, and substantive examination of all the pending claims. If there is any issue may not have been adequately addressed in this response, the Examiner is invited to call the undersigned representative.

Respectfully submitted,

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